

# **Exhibit 7**

Case 1:07-cv-05830-CM Document 19-8 Filed 07/24/2017 Page 2 of 24  
**BARGAIN AND SALE DEED WITHOUT COVENANT AGAINST  
GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)**

**FORM 8001 (short version), FORM 8006 (long version)**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER  
AND PURCHASER BEFORE SIGNING.**

**THIS INDENTURE**, made the June 12, 2007,

between 358 Broadway LLC, with a place of business at 7 Penn Plaza, Suite 222, New York, New York  
party of the first part, and

358 Broadway Realty, LLC, of 1094 River Avenue, Area C, Lakewood, New Jersey, as to a 77.50%  
undivided interest

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of \$13,562,500.00 dollars, lawful  
money of the United States, paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, more  
particularly described described in Schedule A annexed hereto;

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

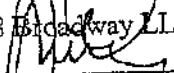
**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

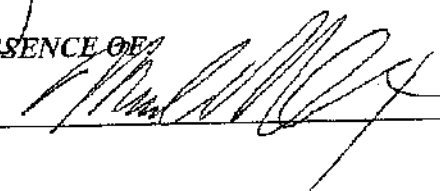
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to receive  
such consideration as a trust fund to be applied first for the purpose of paying the costs of the  
improvement and will apply the same first to the payment of the cost of the improvement before using  
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so  
requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and  
year first above written.

358 Broadway LLC  
By:   
Joel Rosen, Manager

**IN PRESENCE OF**

  
\_\_\_\_\_

*NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.*

Title No.: GR25-16821R

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Broadway distant 117 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Leonard Street and the easterly side of Broadway;

RUNNING THENCE easterly on a line which on its northerly side forms an angle of 89 degrees 49 minutes 50 seconds with the easterly side of Broadway, 175 feet 1  $\frac{3}{4}$  inches to a point on the westerly side of Benson Place distant 117 feet 5 inches northerly from the northwesterly corner of Leonard and Benson Place;

THENCE northerly along the westerly side of Benson Place 32 feet 4  $\frac{1}{4}$  inches to the rear line of said Benson Place;

THENCE easterly and along the said rear line of Benson Place, 24 feet 8  $\frac{3}{4}$  inches to the easterly wall of the 5-story and basement brick building known as and by the street number 59 Franklin Street;

THENCE northerly along the said easterly face of said easterly wall of said building 51 feet 4  $\frac{1}{4}$  inches to the southerly side of Franklin Street;

THENCE westerly along the southerly side of Franklin Street, 84 feet 10  $\frac{3}{4}$  inches to a point in the easterly face of the easterly wall of the building on premises adjoining on the West known as and by the street number 67 Franklin Street;

THENCE southerly and along the said easterly face of the said easterly wall of said building 56 feet 1 inch to a point in the northerly face on the northerly wall of the building known as and by the street number 358 Broadway;

THENCE westerly and along the northerly face of said northerly wall of said building 115 feet  $\frac{1}{4}$  inch to the easterly side of Broadway;

THENCE southerly along the said easterly side of Broadway 28 feet to the point or place of BEGINNING.

## Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK

) ss.:

COUNTY OF NEW YORK

On the 12 day of June in the year 2007, before me, the undersigned, personally appeared Joel Rosen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

MARK N. AXINN  
NOTARY PUBLIC, State of New York  
No. 02AX4758223  
Qualified in New York County  
Commission Expires February 18, 20 11

## Deed

Title No. 3008-184563

Section Block 171

Lot 5

County or Town New York

Street Address 358 Broadway a/k/a 59 Franklin

Street

New York, New York 10013

358 Broadway LLC

To

358 Broadway Realty, LLC

As to as 77.50% undivided interest

## Return By Mail To:

Arthur S. Mantel, Esq.  
Alter Mantel, LLP.  
90 Park Avenue, 35th floor  
New York, New York 10016



**FORM 8001 (short version), FORM 8006 (long version)**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER  
AND PURCHASER BEFORE SIGNING.**

**THIS INDENTURE**, made the June 12, 2007,

between Alan I. Rosen, of 16 North Bridge Road, Mount Kisco, New York 10549  
party of the first part, and

358 Broadway Realty, LLC, of 1094 River Avenue, Area C, Lakewood, New Jersey, as to a 1.25%  
undivided interest

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of \$218,750.00 dollars, lawful  
money of the United States, paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, more  
particularly described described in Schedule A annexed hereto;

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

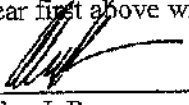
**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to receive  
such consideration as a trust fund to be applied first for the purpose of paying the costs of the  
improvement and will apply the same first to the payment of the cost of the improvement before using  
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so  
requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and  
year first above written.

  
\_\_\_\_\_  
Alan I. Rosen

**IN PRESENCE OF:**  
  
\_\_\_\_\_

*NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.*

Title No.: GR25-16821R

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Broadway distant 117 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Leonard Street and the easterly side of Broadway;

RUNNING THENCE easterly on a line which on its northerly side forms an angle of 89 degrees 49 minutes 50 seconds with the easterly side of Broadway, 175 feet 1  $\frac{1}{4}$  inches to a point on the westerly side of Benson Place distant 117 feet 5 inches northerly from the northwesterly corner of Leonard and Benson Place;

THENCE northerly along the westerly side of Benson Place 32 feet 4  $\frac{1}{4}$  inches to the rear line of said Benson Place;

THENCE easterly and along the said rear line of Benson Place, 24 feet 8  $\frac{3}{4}$  inches to the easterly wall of the 5-story and basement brick building known as and by the street number 59 Franklin Street;

THENCE northerly along the said easterly face of said easterly wall of said building 51 feet 4  $\frac{1}{4}$  inches to the southerly side of Franklin Street;

THENCE westerly along the southerly side of Franklin Street, 84 feet 10  $\frac{3}{4}$  inches to a point in the easterly face of the easterly wall of the building on premises adjoining on the West known as and by the street number 67 Franklin Street;

THENCE southerly and along the said easterly face of the said easterly wall of said building 56 feet 1 inch to a point in the northerly face on the northerly wall of the building known as and by the street number 358 Broadway;

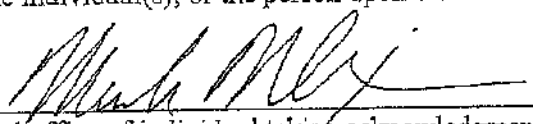
THENCE westerly and along the northerly face of said northerly wall of said building 115 feet  $\frac{1}{4}$  inch to the easterly side of Broadway;

THENCE southerly along the said easterly side of Broadway 28 feet to the point or place of BEGINNING.

## Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF NEW YORK )

On the 12 day of June in the year 2007, before me, the undersigned, personally appeared Alan I. Rosen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
 (signature and office of individual taking acknowledgment)

MARK N. AXINN  
 NOTARY PUBLIC, State of New York  
 No. 064758223  
 Qualified in New York County  
 Commission Expires February 18, 2011

## Deed

**Title No. 3008-184563**

Alan I. Rosen  
 To

358 Broadway Realty, LLC

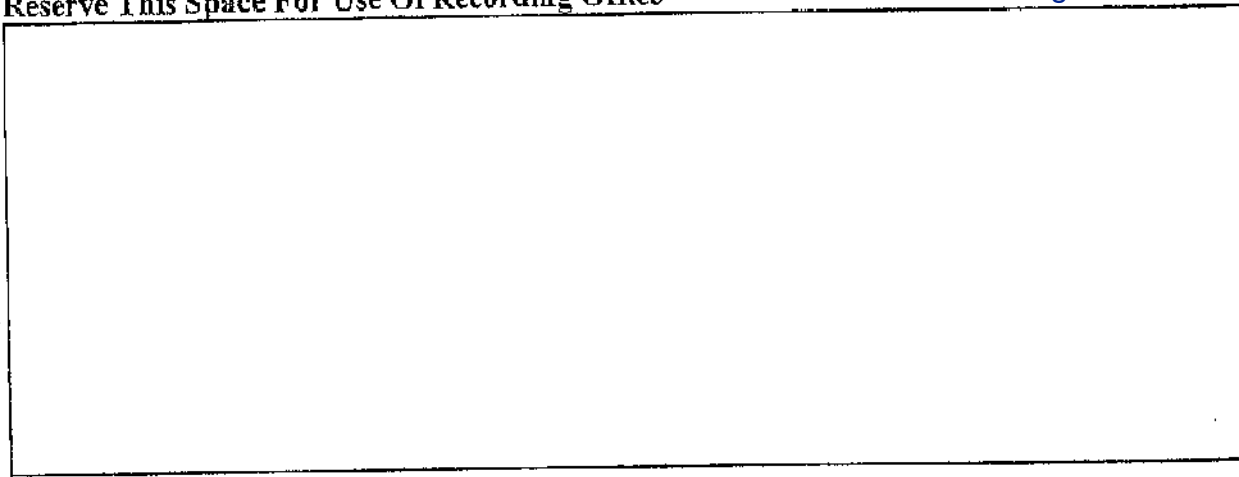
As to as 1.25% undivided interest

<b>Section</b>	<b>Block</b>	171
<b>Lot</b>		5
<b>County or Town</b>		New York
<b>Street Address</b>		358 Broadway a/k/a 59 Franklin
<b>Street</b>		New York, New York 10013

## Return By Mail To:

Arthur S. Mantel, Esq. Alter Mantel, LLP. 90 Park Avenue, 35th floor New York, New York 10016
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**BARGAIN AND SALE DEED WITHOUT COVENANT AGAINST  
GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)**

**FORM 8001 (short version), FORM 8006 (long version)**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER  
AND PURCHASER BEFORE SIGNING.**

*THIS INDENTURE*, made the June 12, 2007,

between Joel Rosen, of 148 Redpoll Circle, Roslyn Heights, New York 11577  
party of the first part, and

358 Broadway Realty, LLC, of 1094 River Avenue, Area C, Lakewood, New Jersey, as to a 10%  
undivided interest

party of the second part;

*WITNESSETH*, that the party of the first part, in consideration of 1,750,000.00 dollars, lawful  
money of the United States, paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever;

*ALL* that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, more  
particularly described described in Schedule A annexed hereto;

*TOGETHER* with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

*TOGETHER* with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises;

*TO HAVE AND TO HOLD* the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

*AND* the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to receive  
such consideration as a trust fund to be applied first for the purpose of paying the costs of the  
improvement and will apply the same first to the payment of the cost of the improvement before using  
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so  
requires.

*IN WITNESS WHEREOF*, the party of the first part has duly executed this deed the day and  
year first above written.

Joel Rosen

*IN PRESENCE OF*

*NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.*

Title No.: GR25-16821R

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Broadway distant 117 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Leonard Street and the easterly side of Broadway;

RUNNING THENCE easterly on a line which on its northerly side forms an angle of 89 degrees 49 minutes 50 seconds with the easterly side of Broadway, 175 feet 1  $\frac{3}{4}$  inches to a point on the westerly side of Benson Place distant 117 feet 5 inches northerly from the northwesterly corner of Leonard and Benson Place;

THENCE northerly along the westerly side of Benson Place 32 feet 4  $\frac{1}{4}$  inches to the rear line of said Benson Place;

THENCE easterly and along the said rear line of Benson Place, 24 feet 8  $\frac{3}{4}$  inches to the easterly wall of the 5-story and basement brick building known as and by the street number 59 Franklin Street;

THENCE northerly along the said easterly face of said easterly wall of said building 51 feet 4  $\frac{1}{4}$  inches to the southerly side of Franklin Street;

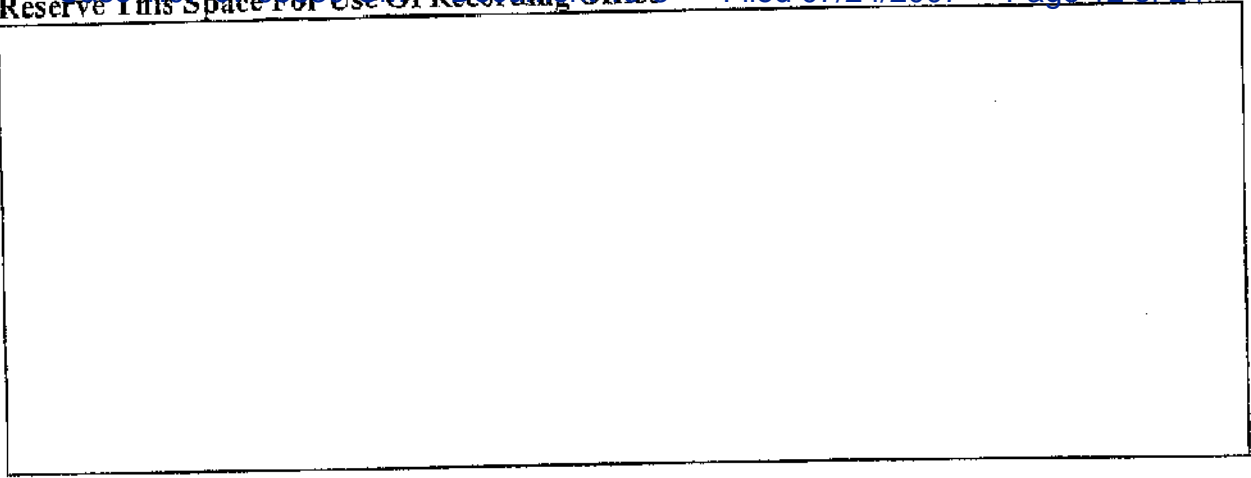
THENCE westerly along the southerly side of Franklin Street, 84 feet 10  $\frac{3}{4}$  inches to a point in the easterly face of the easterly wall of the building on premises adjoining on the West known as and by the street number 67 Franklin Street;

THENCE southerly and along the said easterly face of the said easterly wall of said building 56 feet 1 inch to a point in the northerly face on the northerly wall of the building known as and by the street number 358 Broadway;

THENCE westerly and along the northerly face of said northerly wall of said building 115 feet  $\frac{1}{4}$  inch to the easterly side of Broadway;

THENCE southerly along the said easterly side of Broadway 28 feet to the point or place of BEGINNING.

Reserve This Space For Use Of Recording Office



**BARGAIN AND SALE DEED WITHOUT COVENANT AGAINST  
GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)**

**FORM 8001 (short version), FORM 8006 (long version)**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER  
AND PURCHASER BEFORE SIGNING.**

**THIS INDENTURE**, made the June 12, 2007,

between Mitchell Penberg, of 55 Saratoga Street, Lido Beach, New York 11561  
party of the first part, and

358 Broadway Realty, LLC, of 1094 River Avenue, Area C, Lakewood, New Jersey, as to a 5%  
undivided interest

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of \$875,000.00 dollars, lawful  
money of the United States, paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, more  
particularly described described in Schedule A annexed hereto;

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

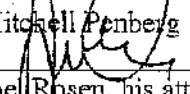
**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to receive  
such consideration as a trust fund to be applied first for the purpose of paying the costs of the  
improvement and will apply the same first to the payment of the cost of the improvement before using  
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so  
requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and  
year first above written.

Mitchell Penberg  
By:   
Joe Rosen, his attorney in fact

**IN PRESENCE OF:**



*NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.*

Title No.: GR25-16821R

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Broadway distant 117 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Leonard Street and the easterly side of Broadway;

RUNNING THENCE easterly on a line which on its northerly side forms an angle of 89 degrees 49 minutes 50 seconds with the easterly side of Broadway, 175 feet 1  $\frac{3}{4}$  inches to a point on the westerly side of Benson Place distant 117 feet 5 inches northerly from the northwesterly corner of Leonard and Benson Place;

THENCE northerly along the westerly side of Benson Place 32 feet 4  $\frac{1}{4}$  inches to the rear line of said Benson Place;

THENCE easterly and along the said rear line of Benson Place, 24 feet 8  $\frac{3}{4}$  inches to the easterly wall of the 5-story and basement brick building known as and by the street number 59 Franklin Street;

THENCE northerly along the said easterly face of said easterly wall of said building 51 feet 4  $\frac{1}{4}$  inches to the southerly side of Franklin Street;

THENCE westerly along the southerly side of Franklin Street, 84 feet 10  $\frac{3}{4}$  inches to a point in the easterly face of the easterly wall of the building on premises adjoining on the West known as and by the street number 67 Franklin Street;

THENCE southerly and along the said easterly face of the said easterly wall of said building 56 feet 1 inch to a point in the northerly face on the northerly wall of the building known as and by the street number 358 Broadway;

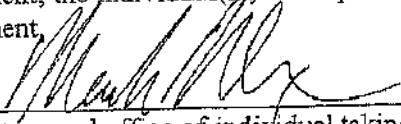
THENCE westerly and along the northerly face of said northerly wall of said building 115 feet  $\frac{1}{4}$  inch to the easterly side of Broadway;

THENCE southerly along the said easterly side of Broadway 28 feet to the point or place of BEGINNING.

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

On the 12 day of June in the year 2007, before me, the undersigned, personally appeared Joel Rosen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
(signature and office of individual taking acknowledgment)

MARK N. AXINN  
NOTARY PUBLIC, State of New York  
No. 02AX4758223  
Qualified in New York County  
Commission Expires February 18, 2011

**Deed**

Title No. 3008-184563

**Section Block** 171

**Lot** 5

**County or Town** New York

**Street Address** 358 Broadway a/k/a 59 Franklin  
Street

New York, New York 10013

Mitchell Penberg

To

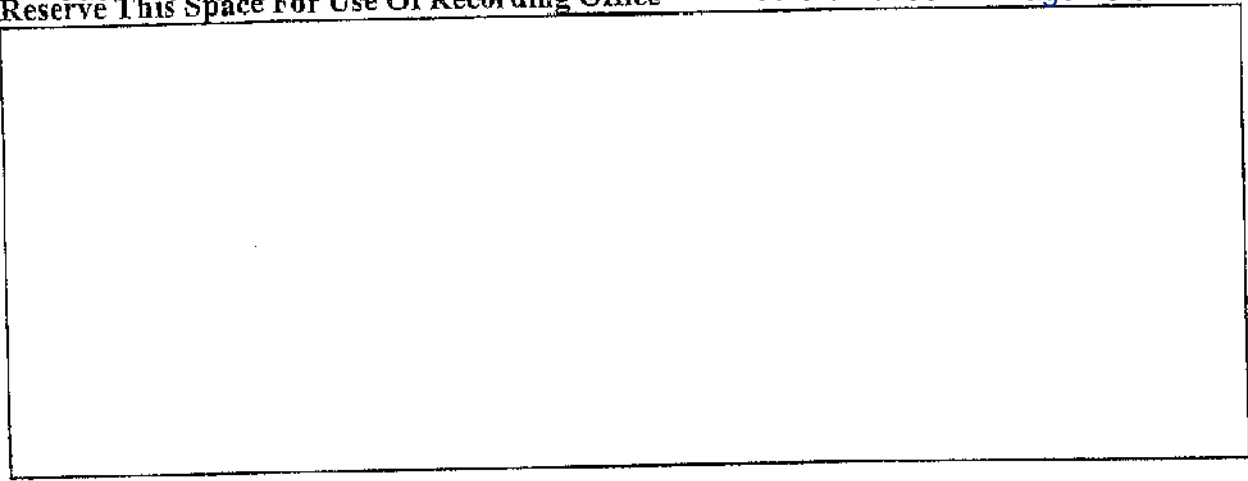
358 Broadway Realty, LLC

As to as 5% undivided interest

**Return By Mail To:**

Arthur S. Mantel, Esq.  
Alter Mantel, LLP.  
90 Park Avenue, 35th floor  
New York, New York 10016

Reserve This Space For Use Of Recording Office





**FORM 8001 (short version), FORM 8006 (long version)**

**CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.**

*THIS INDENTURE*, made the June 12, 2007,

between Robert J. Rosen, of 12 Hemmingway Drive, Dix Hills, New York 11746  
party of the first part, and

358 Broadway Realty, LLC, of 1094 River Avenue, Area C, Lakewood, New Jersey, as to a 1.25%  
undivided interest

party of the second part;

*WITNESSETH*, that the party of the first part, in consideration of \$218,750.00 dollars, lawful  
money of the United States, paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever;

*ALL* that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, more  
particularly described described in Schedule A annexed hereto;

*TOGETHER* with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

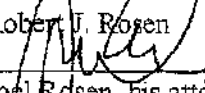
*TOGETHER* with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises;

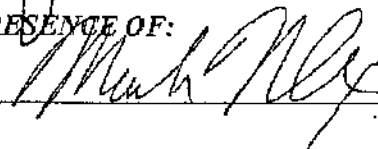
*TO HAVE AND TO HOLD* the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

*AND* the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to receive  
such consideration as a trust fund to be applied first for the purpose of paying the costs of the  
improvement and will apply the same first to the payment of the cost of the improvement before using  
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so  
requires.

*IN WITNESS WHEREOF*, the party of the first part has duly executed this deed the day and  
year first above written.

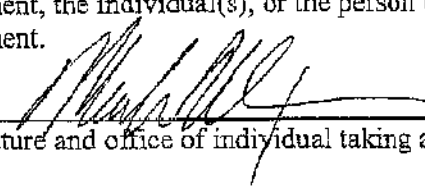
Robert J. Rosen  
By:   
Joel Rosen, his attorney in fact

*IN PRESENCE OF:*  


## Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF NEW YORK )

On the 12 day of June in the year 2007, before me, the undersigned, personally appeared Joel Rosen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
 (signature and office of individual taking acknowledgment)

MARK N. AXINN  
 NOTARY PUBLIC, State of New York  
 No. 02AX4758223  
 Qualified in New York County  
 Commission Expires February 18, 2011

## Deed

Title No. 3008-184563

**Section Block** 171

**Lot** 5

**County or Town** New York

**Street Address** 358 Broadway a/k/a 59 Franklin  
 Street

New York, New York 10013

Robert J. Rosen

**To**

358 Broadway Realty, LLC

As to as 1.25% undivided interest

## Return By Mail To:

Arthur S. Mantel, Esq.  
 Alter Mantel, LLP.  
 90 Park Avenue, 35th floor  
 New York, New York 10016

*NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.*

Title No.: GR25-16821R

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Broadway distant 117 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Leonard Street and the easterly side of Broadway;

RUNNING THENCE easterly on a line which on its northerly side forms an angle of 89 degrees 49 minutes 50 seconds with the easterly side of Broadway, 175 feet 1  $\frac{3}{4}$  inches to a point on the westerly side of Benson Place distant 117 feet 5 inches northerly from the northwesterly corner of Leonard and Benson Place;

THENCE northerly along the westerly side of Benson Place 32 feet 4  $\frac{1}{4}$  inches to the rear line of said Benson Place;

THENCE easterly and along the said rear line of Benson Place, 24 feet 8  $\frac{3}{4}$  inches to the easterly wall of the 5-story and basement brick building known as and by the street number 59 Franklin Street;

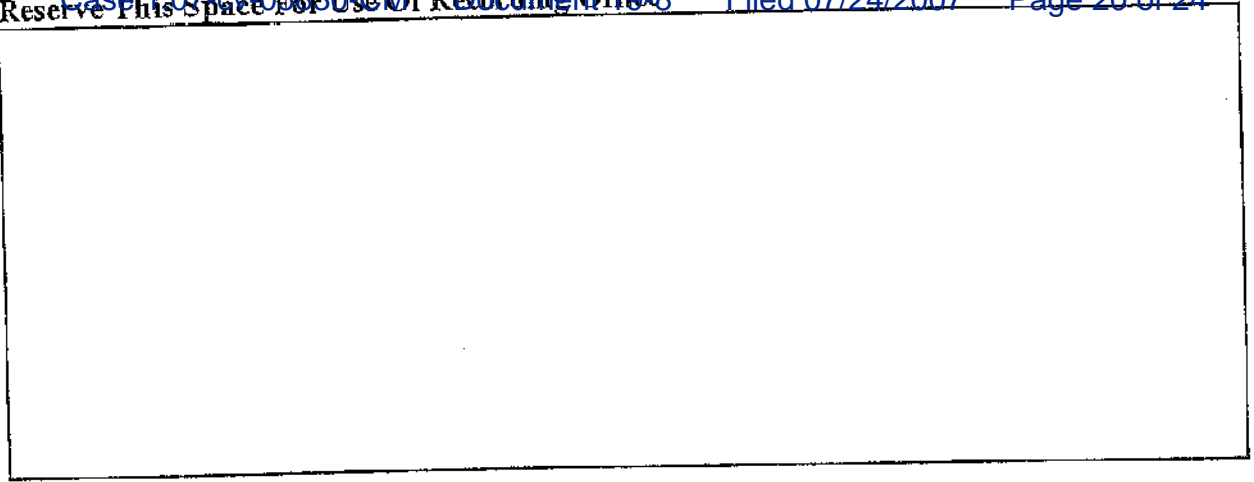
THENCE northerly along the said easterly face of said easterly wall of said building 51 feet 4  $\frac{1}{4}$  inches to the southerly side of Franklin Street;

THENCE westerly along the southerly side of Franklin Street, 84 feet 10  $\frac{3}{4}$  inches to a point in the easterly face of the easterly wall of the building on premises adjoining on the West known as and by the street number 67 Franklin Street;

THENCE southerly and along the said easterly face of the said easterly wall of said building 56 feet 1 inch to a point in the northerly face on the northerly wall of the building known as and by the street number 358 Broadway;

THENCE westerly and along the northerly face of said northerly wall of said building 115 feet  $\frac{1}{4}$  inch to the easterly side of Broadway;

THENCE southerly along the said easterly side of Broadway 28 feet to the point or place of BEGINNING.



# BARGAIN AND SALE DEED WITHOUT COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

**FORM 8001 (short version), FORM 8006 (long version)**

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER  
AND PURCHASER BEFORE SIGNING.

*THIS INDENTURE*, made the June 12, 2007,

between Mark Bortnick, of 3124 Judith Drive, Bellmore, New York 11710  
party of the first part, and

358 Broadway Realty, LLC, of 1094 River Avenue, Area C, Lakewood, New Jersey, as to a 5%  
undivided interest

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of \$875,000.00 dollars, lawful  
money of the United States, paid by the party of the second part, does hereby grant and release unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon  
erected, situate, lying and being in the Borough of Manhattan, City, County and State of New York, more  
particularly described described in Schedule A annexed hereto;

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any  
streets and roads abutting the above described premises to the center lines thereof;

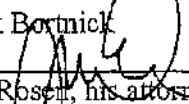
**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in  
and to said premises;

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the  
heirs or successors and assigns of the party of the second part forever.

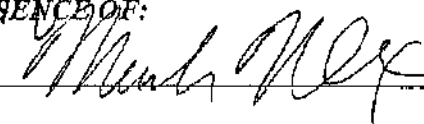
**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the  
party of the first part will receive the consideration for this conveyance and will hold the right to receive  
such consideration as a trust fund to be applied first for the purpose of paying the costs of the  
improvement and will apply the same first to the payment of the cost of the improvement before using  
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so  
requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and  
year first above written.

Mark Bortnick  
By:   
Joel Rosen, his attorney in fact

**IN PRESENCE OF:**



*NATIONAL GRANITE TITLE INSURANCE AGENCY, INC.*

Title No.: GR25-16821R

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Broadway distant 117 feet 3 inches northerly from the corner formed by the intersection of the northerly side of Leonard Street and the easterly side of Broadway;

RUNNING THENCE easterly on a line which on its northerly side forms an angle of 89 degrees 49 minutes 50 seconds with the easterly side of Broadway, 175 feet 1  $\frac{3}{4}$  inches to a point on the westerly side of Benson Place distant 117 feet 5 inches northerly from the northwesterly corner of Leonard and Benson Place;

THENCE northerly along the westerly side of Benson Place 32 feet 4  $\frac{1}{4}$  inches to the rear line of said Benson Place;

THENCE easterly and along the said rear line of Benson Place, 24 feet 8  $\frac{3}{4}$  inches to the easterly wall of the 5-story and basement brick building known as and by the street number 59 Franklin Street;

THENCE northerly along the said easterly face of said easterly wall of said building 51 feet 4  $\frac{1}{4}$  inches to the southerly side of Franklin Street;

THENCE westerly along the southerly side of Franklin Street, 84 feet 10  $\frac{3}{4}$  inches to a point in the easterly face of the easterly wall of the building on premises adjoining on the West known as and by the street number 67 Franklin Street;

THENCE southerly and along the said easterly face of the said easterly wall of said building 56 feet 1 inch to a point in the northerly face on the northerly wall of the building known as and by the street number 358 Broadway;

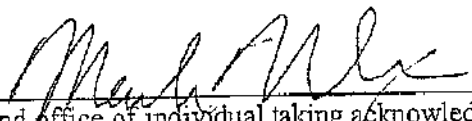
THENCE westerly and along the northerly face of said northerly wall of said building 115 feet  $\frac{1}{4}$  inch to the easterly side of Broadway;

THENCE southerly along the said easterly side of Broadway 28 feet to the point or place of BEGINNING.

## Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK                     )  
   ) ss.:  
 COUNTY OF NEW YORK                )

On the 12 day of June in the year 2007, before me, the undersigned, personally appeared Joel Rosen, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
 (signature and office of individual taking acknowledgment)

MARK N. AXINN  
 NOTARY PUBLIC, State of New York  
 No. 07AX4758223  
 Qualified in New York County  
 Commission Expires February 18, 2011

## Deed

Title No. 3008-184563

Section Block 171

Lot 5

County or Town New York

Street Address 358 Broadway a/k/a 59 Franklin  
Street

New York, New York 10013

Mark Bortnick

To

358 Broadway Realty, LLC

As to as 5% undivided interest

## Return By Mail To:

Arthur S. Mantel, Esq.  
 Alter Mantel, LLP.  
 90 Park Avenue, 35th floor  
 New York, New York 10016

